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Frank C. Eisenschenk

Frank C. Eisenschenk, Ph.D., Patent Attorney

INFORMATION DISCLOSURE
STATEMENT
Examining Group 1616
Patent Application
Docket No. UTR-106XC1
Serial No. 10/541,048

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit : 1616
Applicants : Kimberly D. Gwinn, James Green, Susan Hamilton
Serial No. : 10/541,048
Filed : June 29, 2005
Conf. No. : 6089
For : Use of Herbs as a Delivery System for Bioactive Phytochemicals

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §§1.97 AND 1.98

Sir:

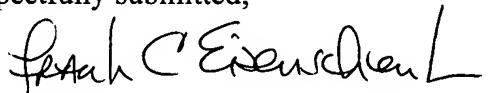
The patent application referred to above was filed in the U.S. Patent Office as a national application under 35 USC §371. Applicants have been notified that a copy of the International Search Report has been made available in the national stage file as indicated on the Notice of Acceptance of the Application Under 35 USC 371 (Form PCT/DO/EO/903). The Notice does not indicate whether copies of the references cited in the International Search Report were received by the Patent Office. Therefore, copies of the references cited in the International Search Report are enclosed for the Examiner's convenience. In accordance with 37 CFR §1.56, Applicants hereby request that the references cited in the International Search Report and listed on the attached form PTO/SB/08 be made of record and considered in the examination of the subject application.

Japanese application No. 2001-320985, cited as F1 on the attached form PTO/SB/08, is written in a foreign language. In accordance with MPEP §609A(3), Applicants are submitting

herewith a copy of the International Search Report from corresponding International Application No. PCT/US03/22272 which was filed on July 15, 2003. Applicants note that although Japanese application No. 2001-320985 is written in a foreign language, an English language Abstract is provided therewith. Applicants respectfully request that the reference be made of record and considered in the examination of the subject application.

Applicants respectfully assert that the substantive provisions of 37 CFR §§1.97 and 1.98 are met by the foregoing statement..

Respectfully submitted,



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Attachments: Form PTO/SB/08; copies of cited references; copy of International Search Report



PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Application Number	10/541,048
Sheet	1	of	2	Filing Date	June 29, 2005
				First Named Inventor	Kimberly D. Gwinn
				Art Unit	1616
				Examiner Name	
				Attorney Docket Number	UTR-106XC1

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
U1	US-				
U2	US-				
U3	US-				
U4	US-				
U5	US-				
U6	US-				
U7	US-				
U8	US-				
U9	US-				

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)			
F1		JP 2001-320985	11-20-2001	Takegawa	All
F2					
F3					
F4					
F5					
F6					
F7					

Examiner Signature	Date Considered
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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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<p>Substitute for form 1449B/PTO</p> <p>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p> <p>(use as many sheets as necessary)</p>				Complete if Known	
Sheet	2	of	2	Application Number	10/541,048
				Filing Date	June 29, 2005
				First Named Inventor	Kimberly D. Gwinn
				Group Art Unit	1616
				Examiner Name	
				Attorney Docket Number	UTR-106XC1

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article, (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	R1	HOAGLAND, R.E. "Bioherbicides: Phytotoxic Natural Products" Chapter 7 in <u>Agrochemical Discovery: Insect, Weed, and Fungal Control</u> , ACS Symposium Series 774, Baker et al., eds., 2001, pp. 72-76, American Chemical Society, Washington, D.C.	
	R2	GRAINGE, M. et al., <u>Handbook of Plants with Pest-Control Properties</u> , 1988, pp. xi-xiv, 1, 8, 9, 16-18, 27, 28, 30, 35-38, 42, 43, 52-55, 60, 62, 74, 75, 80-82, 99, 100, 103, 104, 117, 138-140, 149, 158, 159, 163, 172, 173, 183, 189-192, 196, 212, 213, 240, 274, 292, and 293, John Wiley & Sons.	
	R3		
	R4		
	R5		
	R6		
	R7		
	R8		
	R9		
	R10		
	R11		
	R12		

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